

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

DEMETRIA AMBROSE,

Plaintiff,

v.

Case No. _____
Div. VIII

NORTHSTAR FUNERAL SERVICES OF
TENNESSEE, LLC d/b/a MEMORIAL
PARK FUNERAL HOME,

Defendants.

NOTICE OF REMOVAL

To the Honorable Judges of the United States District Court for the Western District of Tennessee, Western Division:

Removing party, NorthStar Funeral Services of Tennessee, LLC d/b/a Memorial Park Funeral Home, a Delaware LLC, respectfully shows the Court:

1. The above-entitled action was commenced in the Circuit Court of Shelby County, Tennessee, for the Thirtieth Judicial District at Memphis, on May 17, 2011, and is now pending in that court.

2. The above-mentioned action sets forth an alleged violation of the Tennessee Human Rights Act for age discrimination.

3. Removing party is the sole defendant named in the action.

4. The action is one of which the United States District Courts are given original jurisdiction by reason of the diversity of citizenship of the parties.

5. The amount in controversy in the action, exclusive of interest and costs, exceeds 75,000.00.

6. A summons and a copy of the complaint were served on removing party at by serving CT Corporation System in Knoxville, Tennessee, its registered agent for service of process, on **May 20, 2011**.

7. Thirty days have not yet expired since the action became removable to this court.

8. At the time of the commencement of this action, plaintiff was and now is an individual and a resident and citizen of the State of Tennessee; at the time of the commencement of this action, removing party was and now is a citizen and resident of the States of Delaware and Texas. NorthStar's principal place of business is 1900 St. James Place, Suite 300, Houston, Texas 77056.

9. Based on the complaint and the diverse citizenships of the parties, this Court therefore has original jurisdiction of this action under 28 U.S.C.A. § 1332 and, because defendant is not a citizen or resident of the State of Tennessee, the state in which state this action is pending, removal of the action to this court is proper under 28 U.S.C.A. § 1441(a).

10. Copies of all pleadings, process, and orders served on removing party in this action are attached to this notice and marked Exhibit "A."

11. On the date set forth below, a copy of this notice is being served on plaintiff's attorney. On the same date, a copy of this notice is being filed with the clerk of the Circuit Court of Shelby County, Tennessee.

WHEREFORE, premises considered, the removing party requests that the above-entitled action be removed from the Circuit Court for Shelby County of the State of Tennessee to the United States District Court for the Western District of Tennessee, Western Division.

Respectfully submitted,
EVANS | PETREE PC

/s/ Michael R. Marshall
Michael R. Marshall #15225
1000 Ridgeway Loop Road
Suite 200
Memphis, Tennessee 38120
(901) 525-6781

CERTIFICATE OF SERVICE

I do hereby certify that a copy of the foregoing instrument has been served upon James M. Simpson, Shawn R. Lillie, 80 Monroe Ave., Suite 650, Memphis, Tennessee 38120, via U.S. Mail, postage prepaid, this the 15th day of June, 2011.

/s/ Michael R. Marshall
Michael R. Marshall